

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION

MDL 2804

This Document relates to:

All Cases

CASE NO. 1:17-md-2804

Hon Dan Aaron Polster

LOUISIANA WHOLESALE DRUG COMPANY, INC.’S SUBMISSION IN
ACCORDANCE WITH THE COURT’S JANUARY 3, 2023, ORDER REGARDING
PLAINTIFF FACT SHEETS AND SERVICE OF PROCESS

Defendant, LOUISIANA WHOLESALE DRUG COMPANY, INC. (“LWD”), submits the following in accordance with the Court’s January 3, 2023, Order Regarding Plaintiff Fact Sheets and Service of Process [Rec. Doc. 4801], which instructs counsel for certain “Non-Litigating Defendants” (“NLDs”) to file a list showing all plaintiff-subdivisions that named the NLD in an MDL case, but the plaintiff failed to: (1) serve a Plaintiff Fact Sheet (“PFS”) to the PFS Repository;¹ and/or (2) did not obtain timely service of process.²

¹ LWD’s list includes those plaintiffs who failed to serve a PFS to the PFS Repository, as well as those plaintiffs who failed to timely serve their PFS to the PFS Repository “no later than Friday, October 14, 2022” in accordance with this Court’s October 7, 2022, Order [Rec. Doc. 4664]. LWD found the PFS repository to be cumbersome and difficult to navigate, so it is possible that LWD did not see a PFS in one or more cases. LWD does not address the quality or completeness of a given plaintiff’s PFS, including, but not limited to, those with unsigned Certifications.

² LWD’s list includes those plaintiffs who wholly failed to effect service, effected untimely or otherwise improper service, failed to timely seek a waiver of service, and failed to timely file an executed waiver of service on the docket.

Subdivision Name	MDL Case No.	No PFS in Repository	No Service of Process
Acadia-St. Landry Hospital Service District	1:20-op-45097	X ³	
Douglas Hebert, III, Allen Parish Sheriff	1:18-op-45142	X	X
Ascension Parish School Board	1:21-op-45006	X	
Ascension Parish Government	1:19-op-45027	X	X
Jeffrey F. Wiley, Ascension Parish Sheriff	1:18-op-45842	X	X
Assumption Parish Police Jury	1:20-op-45205	X	
Avoyelles Parish Police Jury	1:19-op-45444		X
Douglas Anderson, Avoyelles Parish Sheriff	1:17-op-45164	X	X
Hospital Service District No. 1 of the Parish of Avoyelles, State of Louisiana	1:20-op-45098	X	
Calcasieu Parish Police Jury	1:19-op-45445		X
Tony Mancuso, Calcasieu Parish Sheriff	1:17-op-45179	X	X
Chitimacha Tribe of Louisiana	1:18-op-45825	X ⁴	X
City of Bogalusa, Louisiana	1:18-op-46297	X	X
City of Lake Charles, Louisiana	1:19-op-45449		X
City of Shreveport, Louisiana	1:18-op-46064	X	
City of Saint Martinville, Louisiana	1:19-op-45013		X
Coushatta Tribe of Louisiana	1:19-op-45438	X	X
Wydette Williams, East Carroll Parish Sheriff	1:18-op-45259	X	X

³ LWD is uncertain whether “hospital service districts” are “governmental plaintiffs” within the meaning of the Court’s January 3, 2023 Order [Rec. Doc. 4801], but “hospital service districts” are included in this list out of an abundance of caution.

⁴ Based on the Court’s June 20, 2018, Order [Rec. Doc. 642], LWD understands that the Court’s direction to governmental entities to serve a PFS does not apply to Tribes, but Tribes are included in this list out of an abundance of caution.

Subdivision Name	MDL Case No.	No PFS in Repository	No Service of Process
East Carroll Police Jury	1:19-op-45453		X
Evangeline Parish Police Jury	1:19-op-45450		X
Edrick Soileau, Evangeline Parish Sheriff	1:18-op-45189	X	X
Hospital Service District No. 1 of the Parish of LaSalle	1:18-op-46150	X	
Lafayette General Health System, Inc.	1:18-op-46082	X ⁵	
City of Mandeville, Louisiana	1:19-op-45753		X
Mark T. Garber, Lafayette Parish Sheriff	1:17-op-45180	X	X
Lafourche Parish Government	1:20-op-45212	X	
Lafourche Parish School Board	1:21-op-45036	X	
Leland Falcon, Assumption Parish Sheriff	1:20-op-45206	X	
Board of Supervisors for Louisiana State University and Agricultural and Mechanical College ⁶	1:20-op-45157	X	
Morehouse Parish Police Jury	1:19-op-45452		X
Michael Tubbs, Morehouse Parish Sheriff	1:18-op-45884	X	X
Opelousas General Hospital, a Louisiana Public Trust	1:18-op-46083	X	
Ouachita Parish Police Jury	1:19-op-45446		X
Jay Russell, Ouachita Parish Sheriff	1:18-op-45154	X	X

⁵ LWD is uncertain whether the Court's direction to governmental entities to serve a PFS applies to hospitals, but hospitals are included in this list out of an abundance of caution.

⁶ This case was removed from state court to the United States District Court for the Middle District of Louisiana before it was transferred by the JPML to the Northern District of Ohio [CTO-148]. LWD is not among the defendants listed in the caption of the original Petition for Damages [Rec. Doc. 1-2, p. 9], although LWD is identified as a putative defendant in the body of the Petition [Rec. Doc. 1-2, p. 22] and was served with the Petition on or about March 3, 2020 [Rec. Doc. 1-2, p. 1]. LWD does not appear on the docket sheet in 1:20-op-45157-DAP, and, for that reason, LWD is not connected with this case in the Report Regarding Spreadsheet of Defendants [Rec. Doc. 4687].

Subdivision Name	MDL Case No.	No PFS in Repository	No Service of Process
Phillip Terrell, Rapides Parish District Attorney	1:20-op-45123		X
Rapides Parish Police Jury	1:20-op-45111		X
William Hilton, Rapides Parish Sheriff	1:17-op-45178	X	X
Gary Gilley, Richland Parish Sheriff	1:19-op-45007	X	X
Sabine Parish Policy Jury	1:19-op-45448		X
Ronald Richardson, Sabine Parish Sheriff	1:18-op-45143	X	X
St. James Parish School Board	1:21-op-45034	X	
St. John the Baptist Parish	1:18-op-45987		X
The Tunica-Biloxi Tribe of Louisiana	1:18-op-45996		X
Town of Gramercy, Louisiana	1:21-op-45031	X	
Town of Lutcher, Louisiana	1:21-op-45035	X	
Vernon Parish Police Jury	1:19-op-45451		X
John Craft, Vernon Parish Sheriff	1:18-op-45140	X	X
Randy Seal, Washington Parish Sheriff	1:18-op-45093	X	X
West Ascension Parish Hospital Service District	1:20-op-45207	X	
West Carroll Parish Police Jury	1:19-op-45454		X
Jerry Philley, West Carroll Parish Sheriff	1:18-op-45260	X	X
City of Baton Rouge, Louisiana	1:18-op-45160		X
City of Donaldsonville, Louisiana	1:19-op-45028		X

LWD has not yet had an opportunity to respond to the claims against it, which are at all times specifically denied, and this list is submitted without the admission of liability. LWD does not concede that any plaintiff in any case listed in this filing has stated a claim against LWD upon which relief can be granted, and LWD expressly preserves any and all defenses that may be available to it.

Dated: January 30, 2023

Respectfully submitted:

ALLEN & GOOCH,
A Law Corporation

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CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of January, 2023, a copy of the above and foregoing was filed electronically with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants.

/s/ S. Brian Perry
S. BRIAN PERRY